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9 Attorney for Defendants

10 ONFORCE, INC. and ONFORCE SERVICES,
11 INC.

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13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 **SAN FRANCISCO DIVISION**

16 SCOTT KAPLAN, an individual, and NANCY
17 SCHWARTZ, an individual,

18 Plaintiffs,

19 v.

20 ONFORCE, INC., a Delaware Corporation,
21 ONFORCE SERVICES, INC., a Delaware
22 Corporation, and DOES 1 through 50,
23 inclusively,

24 Defendants.

25 Case No. 3:14-cv-00448-NC

26

27 **JOINT STIPULATION AND [PROPOSED]**

28 **ORDER FOR EXTENSION OF TIME TO**

1 RESPOND TO COMPLAINT AND FOR

2 CONTINUANCE OF CASE

3 MANAGEMENT CONFERENCE AND

4 ADR DEADLINES

5 Action Filed: January 30, 2014

6 Judge: Magistrate Judge Nathanael M.
7 Cousins

1 Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1(b), Defendants
 2 OnForce, Inc. and OnForce Services, Inc. (“OnForce”) (“Defendants”) and Plaintiffs Scott Kaplan
 3 and Nancy Schwartz (“Plaintiffs”)(together, with Defendants, the “Parties”), through their
 4 undersigned counsel, stipulate as follows:

5 WHEREAS, on January 30, 2014, Plaintiffs filed a Complaint for Infringement of Utility
 6 Patent (“Complaint”) with the clerk of the District Court for the Northern District of California;

7 WHEREAS, on January 30, 2014, the Court issued its Order Setting Initial Case
 8 Management Conference and ADR Deadlines (Dkt. No. 4)(the “Court’s Initial Order”);

9 WHEREAS, pursuant to the Court’s Initial Order, the following deadlines were established:

Last day to:	April 9, 2014
<ul style="list-style-type: none"> • Meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan • File ADR Certification signed by Parties and Counsel • File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference 	
Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement	April 23, 2014
INITIAL CASE MANAGEMENT CONFERENCE (CMC)	April 30, 2014

20 WHEREAS, on February 19, 2014, Plaintiff served its Complaint upon Defendant; and

21 WHEREAS, Defendants and Plaintiffs have agreed to an extension of the current deadlines
 22 to answer or otherwise respond to the Complaint until April 25, 2014, so that Defendants may
 23 properly investigate, evaluate, and respond to Plaintiffs’ claims; and so as to allow the parties the
 24 opportunity to properly prepare for the Case Management Conference in the event a resolution is not
 25 reached before the Case Management Conference;

26 WHEREAS, counsel for all parties further agreed to an extension of the deadlines set by the
 27 Court’s Initial Order as follows:

Last day to:	April 23, 2014
<ul style="list-style-type: none"> • Meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan • File ADR Certification signed by Parties and Counsel • File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference 	
Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement	May 7, 2014
INITIAL CASE MANAGEMENT CONFERENCE (CMC)	May 14, 2014 at 10 A.M.

WHEREAS, no party will be prejudiced by the stipulated-to extension;

WHEREAS, this stipulation is without prejudice to, or waiver of, any rights or defenses otherwise available to the Parties in this action;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between the parties hereto that:

- 1) The deadline for the parties to meet and confer and file ADR certification and notices shall be **April 23, 2014**;
- 2) Defendants shall have through and including **April 25, 2014** to answer or otherwise respond to the Complaint in this action;
- 3) The deadline for filing Rule 26(f) Report, completing initial disclosures, and filing joint case management statement shall be **May 7, 2014**; and
- 4) The initial case management conference shall be scheduled for **May 14, 2014 at 10 A.M.**

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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Dated: April 8, 2014

Respectfully submitted,
By: /s/ Laurel A. Kilgour
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Attorney for Defendants
ONFORCE, INC. and ONFORCE SERVICES,
INC.

Dated: April 8, 2014

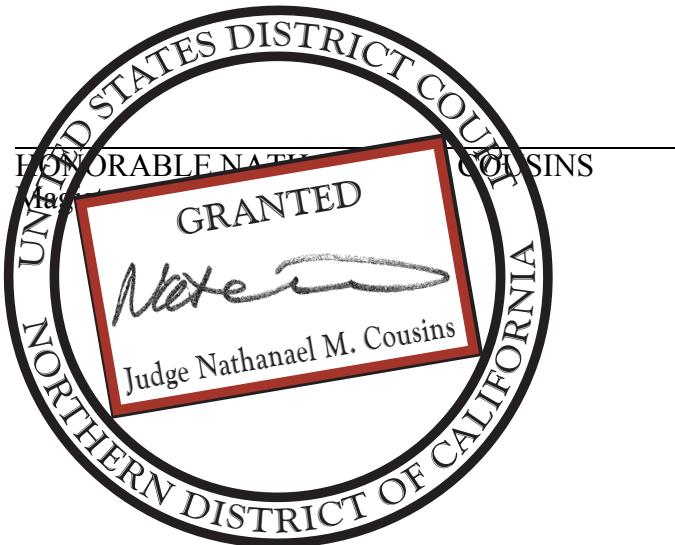
By: /s/ Glenn W. Peterson
Glenn W. Peterson (SBN 126173)
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Attorneys for Plaintiffs
SCOTT P. KAPLAN and NANCY
SCHWARTZ

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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4 DATED: April 9, 2014
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GENERAL ORDER 45 ATTESTATION

I, Laurel A. Kilgour, am the ECF User whose ID and Password are being used to file this
JOINT STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF TIME TO
RESPOND TO COMPLAINT AND FOR CONTINUANCE OF CASE MANAGEMENT
CONFERENCE AND ADR DEADLINES.

In compliance with General Order 45, X.B., I hereby attest that Glenn W. Peterson and John P. Costello, counsel for Scott P. Kaplan and Nancy Schwartz, have concurred to its filing.

Dated: April 8, 2014

GOODWIN PROCTER LLP
Three Embarcadero Center, 24th Floor
San Francisco, California 94111

By: /s/ Laurel A. Kilgour

Attorney for Defendants
ONFORCE, INC. and ONFORCE
SERVICES, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certified that a true and correct copy of the above and foregoing document has been served on April 8, 2014, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any counsel of record who have not consented to electronic service through the Court's CM/ECF system will be served by electronic mail, first class mail, facsimile and/or overnight delivery.

Laurel A. Kilgour
(Type or print name)

/s/ Laurel A. Kilgour
(Signature)